

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

CELSIUS NETWORK LIMITED and
CELSIUS KEYFI LLC,

Plaintiffs,

v.

JASON STONE and KEYFI INC.,

Defendant.

Adversary Proceeding
No. 22-01139 (MG)

**NOTICE OF MOTION OF PLAINTIFFS FOR PRELIMINARY
INJUNCTION PURSUANT TO RULE 7065 OF
THE FEDERAL RULES OF BANKRUPTCY PROCEDURE**

PLEASE TAKE NOTICE that, pursuant to Federal Rule of Bankruptcy Procedure (“FRBP”) 7065 and Federal Rule of Civil Procedure (“FRCP”) 65, Plaintiffs Celsius Network Limited and Celsius KeyFi LLC (together, “Celsius”) respectfully submit this Notice of Motion for Preliminary Injunction (the “Notice”) against Defendants Jason Stone and KeyFi, Inc. (together, “Defendants”).

In support of the Motion for Preliminary Injunction, Celsius submits the contemporaneously filed (i) Memorandum in Support of Motion for Preliminary Injunction (the “Memorandum”); (ii) Declaration of Shiran Kleiderman in Support of Plaintiffs’ Motion for Preliminary Injunction; (iii) Declaration of Ron Sabo in Support of Plaintiffs’ Motion for Preliminary Injunction; (iv) Declaration of Patrick Holert in Support of Plaintiffs’ Motion for Preliminary Injunction; and (v) Declaration of Mitchell Hurley in Support of Plaintiffs’ Motion for Preliminary Injunction, including all exhibits annexed thereto. Together with the Amended Complaint filed in this action, and all proceedings herein, Celsius moves this Court for an Order:

- (i) Restraining the Defendants, their officers, agents, servants, employees, attorneys, and any other persons who are in active concert or participation with them (collectively the “Stone Parties”) from:
 - a. accessing, transferring, or otherwise disposing of the Celsius Staked ETH,¹
 - b. accessing for any reason any Celsius Wallets,
 - c. transferring or otherwise disposing of any Property, including any Stone Utilized Assets and any Subject Property, that they took from Celsius, and
 - d. using Tornado Cash or other means to conceal the location of property that could otherwise be available to satisfy a judgment in this case; and
- (ii) Requiring the Stone Parties to
 - a. within five (5) business days of the date on which the injunction is granted, specifically identify, under penalty of perjury, all Property, including all Stone Utilized Assets and all Subject Property, and its current location(s), and
 - b. within 24 hours of the granting of the injunction, relinquish the private keys associated with any and all Celsius Wallets and with the Celsius Staked ETH.

A hearing on the Motion for Preliminary Injunction will be held before the Honorable Martin Glenn on **December 5, 2022, at 2:00 p.m., prevailing Eastern Standard Time**. The hearing will be conducted via Zoom®. Parties wishing to participate in the hearing must register their appearance utilizing the Electronic Appearance portal located on the Court’s website at: <https://ecf.nysb.uscourts.gov/cgi-bin/nysbAppearances.pl>. Appearances must be entered no later than **4:00 p.m. Eastern Standard Time on December 2, 2022**. Additional information concerning how to participate in the hearing is available in the Court’s Zoom Video Hearing Guide, available at: <https://www.nysb.uscourts.gov/zoom-video-hearing-guide>.

PLEASE TAKE FURTHER NOTICE that copies of the Motion for Preliminary Injunction and other pleadings filed in these chapter 11 cases may be obtained free of charge by visiting the website of Stretto at <https://cases.stretto.com/celsius>. You may also obtain copies of the Motion for Preliminary Injunction and other pleadings filed in these chapter 11 cases by visiting

¹ All capitalized terms used but not defined herein have the means given to them in the Memorandum.

the Court's website at <http://www.nysb.uscourts.gov> in accordance with the procedures and fees set forth therein.

PLEASE TAKE FURTHER NOTICE that any responses or objections to the Motion (the "Objections") shall (i) be in writing; (ii) state the name and address of the objecting party and nature of the claim or interest of such party; (iii) state with particularity the legal and factual bases of such objection; (iv) conform to the Bankruptcy Rules and the Local Bankruptcy Rules for the Southern District of New York; (v) be filed with the Bankruptcy Court, together with proof of service, electronically, in accordance with General Order M-399 (available at www.nysb.uscourts.gov) by registered users of the Court's Electronic Case Filing system, and by all other parties in interest, on a CD-ROM, in text-searchable portable document format (PDF) (with a hard copy delivered directly to Chambers), in accordance with the customary practices of the Court and General Order M-399, to the extent applicable; and (vi) be served in accordance with the *Amended Final Order (I) Establishing Certain Notice, Case Management, and Administrative Procedures and (II) Granting Related Relief* [ECF No. 1181] (the "Case Management Procedures"), so as to be filed and received no later than **November 28, 2022, at 4:00 p.m., prevailing Eastern time.**

PLEASE TAKE FURTHER NOTICE that any objecting parties are required to attend the Hearing, and failure to appear may result in relief being granted upon default.

Dated: November 14, 2022
New York, New York

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